

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

| | | |
|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | Case No. 3:18 CR 30172 NJR |
| vs. |) | |
| |) | |
| JACE A. FAUGNO, |) | |
| |) | |
| Defendant. |) | |

DEFENDANT’S MOTION TO CONTINUE SENTENCING

COMES NOW Defendant Jace Faugno, by and through his attorney, Mark A. Hammer (“counsel”), and respectfully requests a continuance of his sentencing currently scheduled for November 5, 2020 for about eight weeks, preferably shortly after the holiday. This motion is made on the following grounds:

- 1) Counsel just completed a jury trial in Iron County followed immediately by two other significant contested hearings, and has another trial scheduled in Iron County shortly. AUSA Hoell requested signed treatment reports from counsel, possibly pertinent to the Government’s sentencing recommendation before he began his own trial that just ended. Counsel failed to timely get that report to AUSA Hoell, leading to a delay in filing his sentencing memorandum and Defendant’s sentencing memorandum. Defendant would appreciate the opportunity to timely deliver information to the Court prior to his sentencing thus requests this final continuance of his sentencing.
- 2) Defendant continues to do well on pretrial release at his home in Kentucky.
- 3) Should the Court agree to continue the matter, and the pandemic conditions remain substantially unchanged as we near the new sentencing date, Defendant would agree to

sentencing by video teleconference appearance to avoid travel from Kentucky, unnecessarily exposing himself, his counsel or the Court and staff in the Southern District of Illinois.

- 4) Counsel has spoken to AUSA Christopher Hoell who has *no objection*, and consents to the proposed continuance.

For these reasons, Defendant respectfully requests that his sentencing be continued for about eight weeks.

Respectfully submitted,

/s/ Mark A. Hammer

Mark A. Hammer, MO Bar #61542
The Hammer Law Firm, LLC
100 Chesterfield Business Pkwy, Ste 200
Chesterfield, MO 63005
314-651-9311

CERTIFICATE OF SERVICE

I certify that, on October 30, 2020, a copy of this document was electronically filed with the Clerk of Court, and served on all counsel of record, by the CM-ECF system.

/s/ Mark A. Hammer
